



Providing Services and Supports to People with an Intellectual Disability

**Code of
Standards and Behaviour
for Employees working
with Ability West**

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*This Policy document has been prepared by the
Human Resources Directorate, Ability West with reference made to the
Health Act 2004/2007, and guidance from the Ethics in Public Office Acts
1995 to 2001, and guidelines issued by the H.S.E. This document has also
been reviewed with input from the Service User Council of Ability West.*

*This Policy document has been approved by the
Board of Directors of Ability West.*

1. INTRODUCTION

The ethos of Ability West is one of supporting people with intellectual disability to realise their goals in a person centered and individualised manner. The organisation is committed to maintaining a work environment which promotes the dignity of all employees at work, as noted in its policy and procedures – Dignity, Respect and Equality in the Workplace.

In line with Ability West's commitment to promoting best practice and to maintain a suitable working environment, this Code of Standards and Behaviour has been established. This Code of Behaviour and values is set in the context of a commitment to excellence and a high quality service and supports, while encompassing high levels of personal integrity and responsibility. Therefore, this code must be the basis for the actions of all employees.

The development of this code recognises explicitly that there is a need to restate and promote our core values of empowerment of service users, promoting fundamental rights and working in partnership with all stakeholders. New/Updated systems for providing quality service, for devolving responsibility to departments/offices and managers, for managing performance and for using information technology can pose challenges to existing policies, procedures and practices.

Changes to the regulatory environment, our relationship with the H.S.E. through Service Arrangements and human resource management systems and best practice, all impact on the way Ability West does its business. As an organisation we are constantly striving for continuous improvement and in order to get the best from the manner in which services and supports are provided, our ethos sets out clearly the standards expected and ways in which employees will achieve them.

To underpin processes, an integrated approach to the standards and behaviour of employees is now being adopted through this code. The Code of Standards and Behaviour sets out a clear framework within which employees must work. It sets out in a single document the principles which should govern the behaviour of employees and the values which the organisation espouses. It is not intended to be an exhaustive list of guidelines to cover all possible eventualities.

This code relates to Ability West employees only. References to employee/s in the Ability West's Quality Management System encompassing policies and procedures, Staff Handbook, Guidance documents, Code of Standards and Behaviour relate to persons directly employed, whether in a permanent or temporary capacity by Ability

West. However, Ability West recommends those employed indirectly or providing services or advice to, or on behalf of, the organisation to also meet the standards set out for employees.

Members of the Board of Directors and any external members of Committees/Groups are also expected to comply with the spirit of this code during interactions with or on behalf of Ability West.

This Policy is part of Ability West's overall Quality Management System encompassing policies and procedures and should be read in conjunction with:

- Individual Contract of Employment
- Staff Handbook
- Confidentiality Policy and Procedures
- Social Media Policy and Procedures
- Dignity, Respect and Equality in the Workplace
- Managing Attendance and Sick Leave Policy and Procedures
- Lone Workers Policy and Procedures
- All policies and procedures as part of Ability West's Quality Management System available on the intranet

Ability West complies with applicable national legislation, standards such as National Standards, Related Statutory Regulations, Employment and Equality Legislation, Health, Safety and Welfare at Work Act 2005 and other relevant legislation, directives and regulations.

The code will be kept under review by the Human Resources Directorate, the Service User Council, the Policy Advisory Group, and Board of Directors who will approve any amendments as required. A formal review of the code will take place every two years, instigated by the Director of Human Resources.

Signed: **Breda Crehan-Roche**

Approval Date: **08/01/2015**

Implementation Date: **08/01/2015**

VERSION HISTORY:

Rev. 0	PREPARED BY: Eileen Costello-Conneely, Service Quality Manager Alison Flanagan, A/Director of Human Resources Adrian Harney, Director of Human Resources	DATE: 17/01/2011
	APPROVED BY: Breda Crehan-Roche, Chief Executive	DATE: 28/02/2011
Rev. 1	REVIEWED BY: Service User Council Members Eileen Costello-Conneely, Services Quality Manager/Area Services Manager Alison Coleman (formerly Flanagan), Assistant Director of Human Resources Adrian Harney, Director of Human Resources	DATE: 27/11/2014
	APPROVED BY: Breda Crehan-Roche, Chief Executive	DATE: 08/01/2015
	NEXT REVIEW DUE:	DATE: 08/01/2017

REVISION HISTORY:

REVISION	DATE	DESCRIPTION OF CHANGE	CHANGE NO.
0	28/02/2011	Introduction of approved code	N/A
1	27/11/2014	Amendments to policy and procedure as per QARF No. 0220	0220

2. CODE OF STANDARDS AND BEHAVIOUR – AN OVERVIEW

2.1 The Code in Context

Employees can be justly proud of the high standards of conduct which have characterised their service over many years and enabled them to carry out the vision of the organisation. The Code of Standards and Behaviour is an important element of the overall framework within which all employees are expected to work. It sets out the standards required of employees in the discharge of their duties. These standards of behaviour will support high quality service and supports based on high levels of personal performance and responsibility, in line with the organisation's vision, mission statement and strategic plan.

2.2 Standards underpinning performance of duties

In the performance of their duties employees must:

- (a) **Maintain high standards in service delivery by:**
discharging responsibilities conscientiously, honestly and impartially; always acting within the law; and performing their duties with efficiency, diligence and courtesy.
- (b) **Observe appropriate behaviour at work by:**
interacting with all persons sympathetically, fairly and promptly; and treating all persons with dignity and respect; while there is no formal dress code, employees are expected to dress appropriately (e.g. clothes, footwear, jewelry, etc.) for their role. Staff should consult with their immediate Line Manager in relation to what is an appropriate dress code taking account of individual service user needs within each centre. Staff should refrain from using mobile phones/devices, etc. for personal use when on duty except when dealing with emergency situations.
- (c) **Maintain the highest standards of probity by:**
conducting themselves with honesty, impartiality and integrity; never seeking to use improper influence to affect decisions concerning their official positions for personal gain or advantage; abiding by guidelines as outlined under Section 3 in respect of offers of gifts or hospitality; and avoiding conflicts of interest.
- (d) **Support and be loyal to Ability West by:**
supporting colleagues and the organisation in the performance of its

functions; promoting the goals, objectives and strategic direction of the organisation and not undermining any of them through action or omission; seeking to resolve grievances and concerns through agreed channels (this includes Complaints procedures, Grievance Procedures); ensuring any actions taken maintain public confidence in Ability West and its good name.

- (e) Comply with relevant legislation, this will include but not limited to Health and Safety, the Organisation of Working Time Act, Health Act, Freedom of Information, Data Protection, European Working Time Directive.

2.3 Application of the Code

- (a) The provisions of the Code relate to employees directly employed, whether in a permanent, temporary or relief capacity by Ability West.
- (b) The requirements in relation to confidentiality will also apply upon retirement/resignation.
- (c) The Code forms part of the terms of employment of all employees.
- (d) Employees are expected to comply with the Code at all times. Breaches of the code will constitute a breach of the terms of employment and may result in disciplinary action being pursued in accordance with procedures.
- (e) Terms and conditions of existing employees will be updated using the agreed HR processes. Employees (existing and new) will have access to the Code of Standards and Behaviour via Ability West's internal intranet.
- (f) An employee can obtain clarification on any aspect of the Code from the Human Resources Directorate, by contacting the Director of Human Resources or Assistant Director of Human Resources.
- (g) Induction courses will include information on the provisions of the Code.
- (h) Breaches of the Code of Standards and Behaviour may evoke the use of the Disciplinary procedures of Ability West.

3. **REQUIREMENTS OF THE CODE OF STANDARDS AND BEHAVIOUR**

(a) **Impartiality**

Employees must be impartial in the performance of their duties.

It is each employee's responsibility to carry out his/her duties in a party political neutral manner. Public political activities should not, under any circumstances, be undertaken during paid Ability West hours by any employee.

Employees should ensure that views expressed by them or actions taken related to their public political activities are not presented or interpreted as official comment on behalf of Ability West, but that they are their own or those of the political organisation they are representing. Neither should such views or actions compromise their duty of loyalty to Ability West (see paragraph 2.2 (d) above).

An employee may, in his/her role as a trade union representative, make a Statement in that capacity, but will ensure that such a statement is not presented as official comment on behalf of Ability West. If in doubt in relation to commenting on matters relating to Ability West the employee must consult with the Chief Executive prior to commenting to the media.

(b) **Respect for the Law**

Employees must respect the constraints of the law.

Employees must respect legal constraints, in particular, never act in a manner which they know, or suspect, is illegal, improper, or unethical or for which they have no legal authority; and to exercise any discretion which may be conferred by law in a bona fide manner in accordance with the intentions of the statute; must treat any issue which is subject to legal proceedings or subjudical with strictest confidence.

(c) **Disclosure of information**

Employees must not improperly disclose, during or following termination of employment, information gained in the course of their work.

Employees may have access to or hear information concerning the medical or personal affairs of service users and/or employees, or other service/support business. Such records and information are strictly confidential and treated with confidence, and can only be divulged or discussed in the performance of normal duty. Disclosure of records or information under various statutory provisions (e.g. Freedom of Information Acts 1997 and 2003; Data Protection Acts 2001 and 2003; the Health Acts 1947 to 2007) will be made in accordance with Ability West policies, procedures and protocols, including Confidentiality Policy and Procedures.

(d) **Dealings with all parties including the public**

Employees must maintain high standards of service in all of their dealings with all parties including the public.

- (i) In interactions with all parties, all employees must apply the principles of equal opportunity and equality as outlined in its policy on Dignity, Respect and Equality in the Workplace. This includes areas as outlined in equality legislation – Gender, Family status, Age, Disability, Race, Nationality, Ethnic origin Sexual Orientation, Religious Belief, Membership of the Traveller community, Trade Union Membership.
- (ii) Interactions with all parties (service users, other employees, families, other organisations, etc.) is in a manner that is respectful, taking account of the dignity of each person.
- (iii) Employees will act in a fair and courteous manner.
- (iv) Employees should at all times take reasonable precautions to ensure that from the point of view of his/her health they are competent to carry out the duties required. Employees have an obligation to familiarise themselves with such policies and procedures as Alcohol and Drug Prevention, Management of Attendance and Sick Leave, etc. Ability West also has in place a Policy and Procedure for Social Media Usage. Employees are obliged to familiarise themselves with all policies and procedures.
- (v) Any circumstances that could place service users/employees in jeopardy or which mitigate against safe standards must be made known to the appropriate Manager.
- (vi) In a situation where an employee finds themselves in a position where they are in doubt or feel they face ethical dilemmas they must discuss this with

their Line Manager, who should raise the matter with their Area Services Manager and appropriate Director.

- (vii) Employees must endeavour to provide a person centred approach in all interactions with service users ensuring they advocate, listen, support and communicate respectfully and appropriately with all service users at all times.

(e) **Criminal Convictions**

Employees who are convicted of criminal offences by the Courts, or given the benefit of the Probation Act when tried for a criminal offence, must report that fact to the organisation, i.e. Director of Human Resources.

The employee must make such a report in writing to the Director of Human Resources.

(f) **Attendance and Performance**

Employees must attend at work as rostered and required in line with their contract of employment and comply with all Ability West policies and procedures.

Staff are required:

- (i) To attend at work as required and not to absent themselves from duty without proper authorisation.
- (ii) To comply with the terms of all Ability West policies and procedures, including attendance, and leave.
- (iii) At all times, to achieve the highest standards of performance and accountability, appropriate for their role.
- (iv) To ensure non-discriminatory language is used in all communications, both internal and external, including display material and documents in electronic form.
- (v) Not to engage in any outside business or occupation during their rostered hours of duty.

- (vi) All staff adhere to the Code of Conduct of their own professional body/association or regulatory body.
- (vii) Staff will engage in staff development and support meetings with their line manager.
- (viii) Staff will abide by Service User Charter of Rights and will actively promote this in the workplace.

(g) **Regard for Ability West Resources and Funding**

Employees are required to have due regard for Ability West available resources and funding to ensure proper, effective and efficient use of such resources and funds.

Employees are required to:

- (i) take proper and reasonable care of Ability West property and not to use it, or permit its use, for unauthorised purposes.
- (ii) incur no liability on the part of the organisation without proper authorization.
- (iii) ensure that expenses, such as travel and subsistence payments, are not unnecessarily incurred either by themselves or by staff reporting to them.

(h) **Relationships with colleagues**

Employees should show due respect to their colleagues. Employees should ensure that their behaviour towards other colleagues is appropriate for the workplace. Employees have a legal duty not to discriminate against colleagues on the basis of their gender, race, sexual orientation, membership of the traveller community, disability, age, marital status, family status or religious belief. Employees should support a positive working environment by observing and supporting Ability West's policy on Dignity, Respect and Equality in the Workplace Policy and procedures.

(i) **Responsibilities in relation to familiarisation with Ability West's policies and procedures**

Employees are responsible for familiarising themselves with all Ability West's policies and procedures.

Ability West policies and procedures are available on the organisation's internal intranet system. Documentation deemed to be critical will be held in hard copy format (e.g. Client Protection, Behaviour Support Guidelines, Safety Statement) are available in centres/departments.

(j) **Improper Influence**

The use of their official positions by employees to benefit themselves or others with whom they have personal or business ties is not allowed.

Employees are also forbidden to seek to influence decisions on matters pertaining to their official positions other than through established procedures.

(k) **Conflicts of Interest**

Employees may not engage in outside business or activity which would in any way conflict with the interests of their role as an employee, their departments/offices.

Employees shall not accept an appointment, or particular consultancy project, where the employees concerned believe that the nature and terms of such appointment could lead to a conflict of interest or the perception of such, without first obtaining the approval of the Director of Human Resources.

Employees would not normally be required to work in a service where an immediate family member is in receipt of a service; where such a situation arises the employees should bring this to the notice of their immediate line manager who will review this with the Director of Client Services.

Where there is a close personal/family relationship between employees and in order to protect the interests of all parties, it may not be desirable for both parties to work in the same setting.

An employee who, in the course of his or her official duties, comes into contact with any matter affecting any commercial undertaking in which he or she has an interest, must immediately disclose the nature and extent of that interest to the Director of Human Resources.

(l) **Benefits of any kind and gifts**

Employees should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgment or integrity. The overriding concern is that the actions of staff be above suspicion and not give rise to any actual or potential conflict of interest, and that their dealings with persons/organisations/interests should bear the closest possible scrutiny.

Any benefits received should be of nominal value (e.g. diaries, pens). It would be appropriate if gifts are received in centres/departments to raffle such gifts and the proceeds go to Ability West.

All gifts and benefits received must be disclosed to the Director of Human Resources.

(m) **Hospitality**

It is impossible to lay down definite rules covering the acceptance of hospitality in all circumstances. The overriding concern is that all actions of staff in carrying out their duties be above suspicion and not give rise to any actual or potential conflict of interest, and that their dealings with persons/organisations/interests should bear the closest possible scrutiny. It is accepted that staff should not be put in a position where they cannot accept what are regarded as normal courtesies in working relationships.

However, in their contacts with outside persons/organisations/interests, every care must be taken by staff to ensure that their acceptance of hospitality does not influence them, and could not reasonably be seen to influence them, in discharging their duties.

Therefore, employees should not accept hospitality of any kind from a third party which might reasonably be seen to compromise their personal judgment or integrity. Within the general framework of guidelines set out in the Code, every care must be taken to ensure that:

- (i) any acceptance of hospitality does not influence, or is seen to influence, the discharging of official duties, and
- (ii) that there are clear and appropriate standards in place which have been notified to all employees in relation to payment for work on behalf of outside bodies. Any hospitality received should be of nominal value. All

hospitality received must be disclosed to the employee's line manager and Director of Human Resources.

(n) **Contracts with, purchases from or sales to Ability West**

Employees must not seek contracts with Ability West for supply of goods or services whether for their own benefit or for the benefit of any company with which they may have an involvement in a private capacity, unless specifically sanctioned by the Chief Executive of Ability West. The following framework applies:

- (i) A staff member should not seek contracts with Ability West for the supply of goods or services (other than for employment) either for his or her own benefit, or for any partnership or company with which he or she has an involvement in his or her private capacity or on behalf of other persons or organisations, unless sanction has been approved by the Chief Executive.
- (ii) Ability West will not knowingly undertake to contract for the supply of goods or services (other than for employment) with a staff member or with any partnership or company with which a staff member has an involvement in his or her private capacity, unless sanction has been approved by the Chief Executive.
- (iii) No purchase should be made from, and no sale made to, a staff member, any partnership or company with which a staff member has an involvement in his or her private capacity in respect of goods or services unless prior sanction has been obtained from the Chief Executive. This does not apply to fundraising activities for service user enterprise sales/purchases.
- (iv) A staff member who enters into any undertaking, or who holds any outside interest or participates in any outside business affecting, or likely to affect, an Ability West contract or the purchase or sale of Ability West property must immediately disclose the nature and extent of his or her interest to the organisation.
- (v) A staff member should not accept a directorship (except as a nominee of Ability West) in any company where a conflict of interest may be perceived to occur.
- (vi) Staff shall not negotiate or arbitrate in any matter affecting Ability West in relation to the purchase from or sale of goods to Ability West where, in their private capacities, they are interested either as principals or as shareholders in a company being one of the principals in the matter under consideration.

4. SUMMARY RESPONSIBILITIES

Parties/Areas	Summary responsibilities
All	To expect to be dealt with properly, fairly, openly, and impartially at all times and if not to make an appropriate report.
Employees	To go about their duties in a way that is consistent with this Code.
Line Managers	To ensure that the Code is disseminated to employees; service users/family members as appropriate, to lead by example and take seriously any breaches that are brought to their attention.
Area Service Managers and Director of Client Services	To ensure that the Code is disseminated to all parties, in a stakeholder appropriate manner, lead by example and take seriously any breaches that are brought to attention.
Human Resources Directorate	To ensure that all employees are made aware of this Code, are given appropriate guidance and are immediately updated on any changes, and to act responsibly upon any reported breaches.
Senior Management	To reference the Code in its deliberations in the management and development of services
Quality Management Review/Senior Management	To include a review of the operation of this Code as part of: (a) its overall Governance review and (b) its regular operational reviews.
Policy Advisory Group/ Board of Directors	To approve this Code (and its updates), receive reports on compliance and report on its operation.

5. SIGN OFF SHEETS

I have read this 'Code of Standards and Behaviour for Employees working with Ability West', I am aware of and understand its contents.

Signed:

Date:

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SIGN OFF SHEETS (Contd.):

I have read this 'Code of Standards and Behaviour for Employees working with Ability West', I am aware of and understand its contents.

Signed:

Date:
